TERMS OF REFERENCE & INVITATION TO TENDER FOR:
Consultant for seminar organization and final report writing: debt crisis resolution and the private sector

Tender reference: 2022-01
Date of publication: 31/01/2022
Deadline for submission: 16/02/2022

Eurodad is a network of 60 NGOs across Europe, working on development finance advocacy. Our focus is on strengthening the power of European CSOs, working as part of a global movement to push governments and powerful institutions to adopt transformative changes to the global economic and financial system. More information can be found on our website.

Eurodad’s work on debt justice seeks to promote fundamental reforms to how debt crises are prevented and resolved, challenge irresponsible financing and the legitimacy of debts, and put the needs and rights of people ahead of debt service. We work closely with civil society partners in the global north and the global south to build a more powerful global debt movement to push forward this transformative agenda.

**Eurodad’s Debt Justice team is organising an expert seminar on debt crisis resolution and the private sector.**

The consultancy will take place in the context of the Open Society Foundations’ Caribbean project 2020 - 2022 (OR2020-72971) and the European Commission’s Umbrella project CSO-LA 2018/401-870. The first project aims to ensure policy responses to tackle the Covid-19 crisis support long term debt sustainability and fiscal policies in the Caribbean region, centred on human rights, gender equality, climate resilience, and sustainable development. The Umbrella project wants to strengthen the institutional, operational and representational capacity of the Eurodad network to undertake coordinated actions and advocate for policy changes that help ensure a democratically controlled, environmentally sustainable financial and economic system that works to eradicate poverty and ensure human rights for all.

**Objectives of the contract**
Primary: Organise a half-day expert seminar (virtual format) on debt crisis resolution and the private sector and produce a final report.

Subsidiary:
- Support of related Eurodad debt justice objectives (2022).
- Contribute to and accelerate the progressive reform of approaches to debt sustainability and processes of debt relief and restructuring to support the achievement of the 2030 Agenda, with an emphasis on the protection of human rights, the environment and gender equality.
- Influence policy recommendations by multilateral bodies.

**Outputs for this contract**
- Organisation of a 4-hour expert seminar with Eurodad debt team; regional, national and global CSOs.
  - Define list of panellists and participants
  - Produce an event summary document, including overview, schedule and connection details
  - Send invitations, including the event summary document
  - Produce a confirmed panellists and participation list.
  - Support dissemination of the event
  - Respond to questions and requirements by panellists.
- Final report with recommendations stemming out of the seminar. Maximum 6 pages in addition to a one-page executive summary.
Contract timeline
The contract has been scoped for a period of 12 to 15 days, with the following provisional schedule:

- **March**: uptake session with the Eurodad debt justice team to assess the situation, clarify objectives and next steps. General coordination throughout the organisation of the seminar. Estimation: 1 day.
- **March**: relevant readings for preparation. Estimation: 1 day.
- **March-May**: organise the webinar, in collaboration with Debt Justice team. Estimation: 4 days.
- **May**: ½ day workshop with Eurodad debt justice team and regional, national and global CSOs. Estimation: 4 hours.
- **Day after workshop**: debrief with Eurodad debt justice team, if needed. Estimation: 1 hour.
- **Late May-early June**: report writing; Estimation: 6 days.

Final report with recommendations to be submitted to the debt justice team by June 13th 2022.

It is envisaged that the contract will start on March 1st and will be completed by June 13th.

Method of work
The final report will be public. Statements by participants can be quoted but not attributed to promote an honest exchange of views during the seminar.

Practical arrangements
The seminar will take place in virtual mode through the Zoom platform. Any preparatory call will also take place via Zoom or Skype. Therefore, the consultant is free to work from remote for the whole duration of the project, as its presence in Brussels is not required at any time.

Background information
The seminar and report aim at providing an assessment of private creditor participation in debt crisis resolution efforts, particularly since the beginning of the Covid-19 pandemic and with a focus on the Caribbean region. We want to highlight the role of statutory approaches to ensure private creditor participation in debt crisis resolution. The seminar will offer room for exchange and networking between CSOs, experts and policy makers.

The final report should include a list of policy options to ensure private creditor participation through voluntary, contractual and statutory approaches.

Primary audience:
- Eurodad members, partners and allies.
- Wider CSOs community working on debt.
- Academics and other experts on sovereign debt.

Secondary audience:
- Policy makers in governments and multilateral institutions.
- Representatives of the private sector (IIF, EMIA, ICMA, Lazard, etc)

Selection criteria
Eurodad selects suppliers/consultants to be awarded for a contract based on best value for money. For this tender, the following criteria will be considered:

1. **Past experience with report writing**;
2. **A minimum of 3 years of experience**;
3. **A demonstrated understanding of development finance issues, with a specific focus on debt**;
4. **Demonstrated experience with supporting non-profit organisations in an advocacy network context**.
5. **Experience with civil society organisations and the CSOs community working on debt**;
6. **Excellent proficiency in English is required**.
7. **Evidence of capacity and reliability:** based on Eurodad’s past positive experience with bidder, references from other organisations or evidence of similar contracts in the past.

8. **Commitment to Eurodad’s values:** a demonstrated commitment to promotion of social and economic justice

**Exclusion criteria**

If any of the following are true for the bidder at the time of submitting their tender or at any time during the procurement process, they will be excluded from consideration for winning a contract with Eurodad. The bidder may also be blacklisted for participation in future Eurodad procurements. By submitting a tender, the bidder declares that they are not in one of the following situations:

a) They are bankrupt, subject to insolvency, or being wound up, are having their assets administered by a liquidator or by a court, have entered into an arrangement with creditors, have suspended business activities, or are in any such situation arising from a similar procedure provided for in national (or EU) legislation or regulations;

b) They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with applicable laws;

c) It has been established by a court’s final judgment or by a final administrative decision that the bidder is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the bidder belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes a wrongful intent or gross negligence. This includes:
   i. misrepresenting the information required as part of this procurement procedure
   ii. entering into agreement with other persons with the aim of distorting competition
   iii. violating intellectual property rights
   iv. attempting to influence the decision-making process during this procurement procedure
   v. attempting to get confidential information that might give an unfair advantage in the procurement procedure

d) It has been established by a court’s final judgment that the bidder is guilty of any of the following:
   i. fraud
   ii. corruption
   iii. relations with a criminal organisation
   iv. money laundering or terrorist financing
   v. terrorist offences or offences linked to terrorist activities, or inciting, aiding, abetting or attempting to commit such offences
   vi. child labour or other offences related to trafficking of human beings

e) In the past, the bidder has shown significant failures in complying with the main obligations of a procurement contract with the client or financed by the European Union, which led to early termination or other contractual penalties, or which was discovered during checks or audits.

f) It has been established by a court’s final judgment or by a final administrative decision that the bidder has committed an irregularity.

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1 These exclusion criteria are in compliance with the 1 Aug 2020 PRAG (the Practical Guide on contract procedures for European Union external action), Section 2.6.10.1.

2 The European Union defines ‘irregularity’ as “any infringement of a provision of Community law resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the
g) It has been established by a court’s final judgment or by a final administrative decision that the bidder has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.

h) It has been established by a court’s final judgment or final administrative decision that the bidder has been created with the intent described in point (g).

If Eurodad has any reason to be concerned that the bidder may be in one of these situations, Eurodad may request appropriate evidence. Additionally, if the bidder is selected for a contract, Eurodad will confirm that the contractor is not included in the list of EU restrictive measures (sanctions list).3

How will Eurodad decide who wins the contract?

Eurodad has a Tender Committee made up of at least four members who will open and evaluate all tenders received. We will first check that all tenders are complete and submitted on time. Incomplete or late tenders will be rejected. We will then evaluate the tenders against the Selection Criteria listed above and select the supplier which offers the lowest price and best matches all the other Selection Criteria. Any supplier who matches one of the Exclusion Criteria will be rejected.

Anti-fraud policy

Eurodad has a zero-tolerance approach towards corruption and fraud in all its forms. Eurodad aims to prevent fraudulent activities and to respond to any allegations or potential fraud swiftly and effectively. If the bidder or any member of staff is aware of any corrupt or fraudulent activities in relation to this procurement process, they are requested to report it to Eurodad’s Director (jsaldanha@eurodad.org) immediately.

Privacy policy

If you decide to submit a tender to this call, please note that Eurodad will keep your information and offer for at least 10 years as it is legally required as supporting documentation for our donors even if you are not selected for the contract. For more information about our privacy practices please visit Eurodad’s website.

Payment

Bidders should be aware that if they are selected for this contract, payment will be made on the following terms: 30% after successful webinar and 70% upon approval of final report. Please note that the contract will include agreed 12 to 15 working days with final deadline of June 13th and penalties may be applied for late delivery.

Specific requirements for tenders

Prices should be given in Euro, exclusive of VAT

Instructions for submitting tenders

Deadline: Tenders must be submitted no later than February 16th, midnight. Tenders submitted after this time will not be considered.

Where and how to submit tenders: Tenders should be submitted via email to icotti@eurodad.org with the subject “Tender” and the tender reference: 2022-1

3 In compliance with 1 Aug 2020 PRAG, Section 2.4
Language of tenders: The tenders must be in English. Supporting documents can be provided by the bidder in English, Spanish and French.

The submitted tender package must include:
- The complete offer with total prices and relevant details, including daily rates and expected working hours.
- CVs or equivalent of the consultant responsible for this contract
- Proof of past successful services
- At least 1 previous publication of the proposed consultant
- The signed declaration on honour at the end of this document confirming that the bidder does not match any of the exclusion criteria
- Companies must provide a copy of their company’s registration document, as proof of their nationality in compliance with the European Union’s Rules of Nationality. (Freelance consultants are exempt from this requirement).

Tenders which are incomplete or not submitted as described above will be excluded.

Contact Person

If you have questions about the terms of reference or invitation to tender requirements, please send these in writing to Lorenzo Forte: lforte@eurodad.org. Please do not send tenders to this address. It is forbidden to discuss price with this contact person and this person will not be involved in the decision-making for this contract.

Bidder information

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<tr>
<th>Name of bidder</th>
<th>Legal status of bidder</th>
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<tbody>
<tr>
<td>Legal registration number of bidder</td>
<td>Nationality/country of registration</td>
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<tr>
<td>VAT registration number</td>
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<tr>
<td>Full legal address of bidder</td>
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Does the representative or any member of the company have any personal or business relationship with Eurodad staff, its members, partners or its donors? Please declare any known relationships.

(Eurodad will then determine if there is a conflict of interest for the supplier to participate in this procurement, or take extra measures to avoid a conflict of interest. Failure to disclose any known relationships may result in exclusion from participation in this or future procurements if such relationships are later discovered.)
Declaration on honour

By signing this document, the bidder certifies that they have read and understood this Invitation to Tender and that they are not in one of the situations listed above under Exclusion criteria. The bidder also certifies that all the information provided about the company under Bidder information, and any documents submitted with the tender are truthful and correct at time of signature.

Name of legal representative

Signature

Location

Date